LISTING OF THE CLAIMS

1-28. (Cancelled).

29. (Currently Amended). A method of treating cholesterol disorders ~~with an intermediate release nicotinic acid formulation~~ comprising:

orally administering to a patient once per day an effective amount of an intermediate release ~~said~~ formulation comprising 1000 mg of nicotinic acid and a swelling agent for treating said disorder, said formulation having ~~a dissolution curve similarity fit factor F2 of at least about 79, and~~ an *in vitro* dissolution profile, when measured in a type I dissolution apparatus (basket) according to U.S. Pharmacopiea XXII, in about 37°C in deionized water at about 100 rpm, as follows:

(a) less than about 15% of the nicotinic acid is released after about 1 hour in the apparatus;

(b) between about 15% and about 30% of the nicotinic acid is released after about 3 hours in the apparatus;

(c) between about 30% and about 45% of the nicotinic acid is released after about 6 hours in the apparatus;

(d) between about 40% and about 60% of the nicotinic acid is released after about 9 hours in the apparatus;

(e) between about 50% and about 75% of the nicotinic acid is released after about 12 hours in the apparatus; and

(f) at least about 75% of the nicotinic acid is released after about 20 hours in the apparatus.

30. (Currently Amended). The method of claim 29, wherein approximately 100% of the nicotinic acid is released after about 20 hours in the apparatus.

31. (Canceled).

32. (Previously presented). The method of claim 29, wherein said formulation is a tablet.

33. (Canceled).

34. (Previously Presented). The method of claim 29, wherein the once per day dose is administered during the evening or at night.

35. (Previously Amended). The method of claim 29, wherein the *in vitro* dissolution profile is a follows:

(a) between about 9.6% and about 13.8% of the nicotinic acid is released after about 1 hour in the apparatus;

(b) between about 21.2% and about 27.8% of the nicotinic acid is released after about 3 hours in the apparatus;

(c) between about 35.1% and about 44.2% of the nicotinic acid is released after about 6 hours in the apparatus;

(d) between about 45.6% and about 58.5% of the nicotinic acid is released after about 9 hours in the apparatus;

(e) between about 56.2% and about 72% of the nicotinic acid is released after about 12 hours in the apparatus; and

(f) at least about 75% of the nicotinic acid is released after about 20 hours in the apparatus.

36. (Previously Presented). The method of claim 35, wherein approximately 100% of the nicotinic acid is released after about 20 hours in the apparatus.

37. (Canceled).

38. (Previously Presented). The method of claim 35, wherein said formulation is a tablet.

39. (Canceled).

40. (Previously Presented). The method of claim 35, wherein the once per day dose is administered during the evening or at night.

41. (Previously Presented). The method of claim 29, wherein the *in vitro* dissolution profile is a follows:

(a) between about 9.8% and about 12.3% of the nicotinic acid is released after about 1 hour in the apparatus;

(b) between about 20.9% and about 26.7% of the nicotinic acid is released after about 3 hours in the apparatus;

(c) between about 35.3% and about 44.1% of the nicotinic acid is released after about 6 hours in the apparatus;

(d) between about 44.8% and about 58.7% of the nicotinic acid is released after about 9 hours in the apparatus;

(e) between about 59.5% and about 70.7% of the nicotinic acid is released after about 12 hours in the apparatus; and

(f) at least about 75% of the nicotinic acid is released after about 20 hours in the apparatus.

42. (Previously Presented). The method of claim 41, wherein approximately 100% of the nicotinic acid is released after about 20 hours in the apparatus.

43. (Canceled).

44. (Previously Presented). The method of claim 41, wherein said formulation is a tablet.

45. (Canceled).

46. (Previously Presented). The method of claim 41, wherein the once per day dose is administered during the evening or at night.

47. (Canceled).

48. (Canceled).

49. (Canceled).

50. (Canceled).

51. (Canceled).

52. (Canceled).

53. (Canceled).

54. (Canceled).

55. (Canceled).

56. (Canceled).

57. (Canceled).

58. (Canceled).

59. (Canceled).

60. (Canceled).

61. (Canceled).

62. (New). The method of claim 29, wherein the swelling agent is hydroxypropyl methyl cellulose, sodium carboxymethylcellulose, methylcellulose, a wax, gums, gelatins or any combinations thereof.

63. (New). The method of claim 29, wherein the swelling agent is hydroxypropyl methyl cellulose and the formulation is a tablet.